

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE**

FILED

Rustin G. Jackson)
v.)
State of Tennessee)
County of Campbell as a body politic,)
City of Jacksboro)
Darryl Mongar, Dustin Rose,)
Rick Woodward)
In their Individual Capacities et al)

Civil Action No. 3:04-cv-344
Judge Varlan

2006 SEP 26 P 12:20

U.S. DISTRICT COURT
EASTERN DIST. TENN.

BY _____ SEPT. CLERK

**Responses of Campbell County to Plaintiff's Interrogatories and Request for
Production of Documents**

Comes the defendant, Campbell County, Tennessee, and for answer to the Plaintiff's Interrogatories and Request for Production of Documents says:

INTERROGATORIES

1. A list of all law enforcement personnel hired since January of 1996, including secretarial staff and phone operators at the Sheriff's off and 911 Center? Please include for each individual, the individual's:
 - a. name,
 - b. birth date
 - c. social security number,
 - d. drivers license number,
 - e. addresses of residences since 1990
 - f. people co-occupying residences since 1990
 - g. telephone numbers
 - h. people who referred them for the position, including name, address, social security number, birth date and phone number.
 - i. references used for their employment, including name, address, social security number, birth date and phone number.
 - j. Employment history for each individual since 1985.
 - k. Complaints made against each individual
 - l. Civil or Criminal actions made against each individual.

ANSWER: Attached as "Exhibit 1" hereto is a list, as best this office could prepare such, and based upon County records, of Sheriff's Department employees hired since fiscal year 1999-2000, including name, date of employment, date of separation from employment and date of birth.

- a. See "Exhibit 1".
- b. See "Exhibit 1".
- c. This office respectfully declines to offer this information at this time.
- d. through m. The information sought in these items is not available in the Office of the County Mayor.

2. Please state the practices and policies used in hiring new law enforcement personnel,
 - m. Requisites each individual must have.
 - n. Directives Campbell County has in hiring new personnel and overall desired outcome in long term trends or goals of the Campbell County Sheriff's Department.
 - o. How each of the individuals in question 1 of the interrogatories has specifically met or exceeded the qualities that would support the directives specified in subsection (b.) of this question.

ANSWER: The information requested is not available in the Office of the County Mayor.

3. State any pressures, external or internal, that influences the hiring of new personnel, selection of new personnel, or replacement of personnel within the Campbell County government or law enforcement? (Please include entities name, drivers license number, birth date, position, address and phone number)

ANSWER: The only pressure of the sort about which you inquire would be that normally felt by a governmental entity to have adequate staffing to meet the needs of the general public, as well as any staffing level that may be required under existing legal codes.

4. State the procedure for complaints made against law enforcement personnel within Campbell County, include all complaints made since 1995 and outcome and resolution of each complaint.

ANSWER: The information requested is not available in the Office of the County Mayor.

5. State Policies, Acts, Private Acts, Rules and Laws (include date enacted and name, birth date, address and phone numbers of each person who supported each of these) Campbell County has concerning:

- a. Reconstituting resources and institutions from the individual municipalities into a centralized county architecture.
- b. arresting people
- c. fines and fine collection
- d. applying for grants and other funding
- e. stopping and/or questioning people
- f. search and inspection
- g. trustee labor
- h. confinement
- i. targeting of individuals or groups for observation or prosecution
- j. the insurance the privacy, freedom, liberty of individuals
- k. law enforcement that does not have the primary directive of gathering of monies as the goal, or as an ancillary effect.

ANSWER: The information requested is not available in the Office of the County Mayor.

6. Please state all actions or agencies that have been or are in place to monitor Campbell County's activities, law enforcement or otherwise?

- a. Include reasons that these have been put in place.
- b. Include conditions of monitoring.

ANSWER: This office is not aware of any "actions or agencies" assigned to perform this function unless there are federal or state agencies with legal mandates for oversight of local governmental operational activities. This office cannot specify any such agency, if such exists, based upon the information provided in the interrogatory.

7. List all incidents, calls made about (include audio recordings), requests, inquiries, stops, reports, memos, actions, points bulletins, decisions, policies, discussions, orders or other documents and/or first hand observations and common discussion concerning the Plaintiff and/or the Plaintiff's vehicles that have occurred.

ANSWER: The information requested is not available in the Office of the County Mayor.

8. Has Campbell County or any employee of the County received or obtained any information or compiled data about the Plaintiff?

- a. At whose request was the information obtained? (include name, drivers license number, birth date, position, address and phone number)
- b. Who obtained the data? (include name, drivers license number, birth date, position, address and phone number)
- c. Who provided the data? (include name, drivers license number, birth date, address and phone number)
- d. What was the information?
- e. What were the reasons for obtaining or having the information?

ANSWER: This office is not aware of any data received, obtained or compiled by this office that regards the Plaintiff.

9. Has the Plaintiff in anyway been indicated as a person to observe, stop or question? At whose request was the information obtained? (include name, drivers license number, birth date, address, capacity, position and phone number)

- a. Who indicated the plaintiff? (include name, drivers license number, birth date, address and phone number)
- b. Who was there to receive any indication? (include name, drivers license number, birth date, address and phone number)
- c. What was the time and date or over what time period were these indications made?
- d. What were the reasons/rumors given for targeting the Plaintiff?
- e. Has any individual within Campbell County's employment initiated any such inquiry?
- f. What were the results or outcome of activities or attention by Campbell County towards the Plaintiff by the Plaintiff being indicated in each instance?

ANSWER: This office is not aware of any such activities.

10. What is the legal standing (if any) of the following actions by Campbell County:
- Refusing to return Mr. Rustin G. Jackson property placed with Campbell County Sheriff's Department for Mr. Rustin G. Jackson to retrieve after Rustin G. Jackson obtained a Writ to retrieve said property? (who was present, include name, social security number, birth data, address, position, and phone number)
 - Officer Larry Bolton's refusal to surrender Plaintiff's property to the Plaintiff during an execution of a Writ for the Plaintiff to retrieve his personnel property, placing it in his own vehicle instead?
 - Refusing to serve a subpoena on eye-witness Linda Chapman during a trial, even at the request of the Campbell County Court.
 - Refusing to transport the Plaintiff back from the forensic evaluation ordered by the court to his home.
 - Ignoring the Plaintiff's request for a Speedy Trial in trials that were vacated then brought against the Plaintiff simultaneously at a later date?
 - Simultaneously scheduling court dates and forensic evaluations for the Plaintiff, effectively forcing a failure to appear at one or the other by the Plaintiff?
 - Refusing emergency medical aid to the Plaintiff made on March 17, 2004 and during his illegal incarceration after Plaintiff requested such aid.

ANSWER: a. through g. This office has no knowledge of any such activities or events.

11. Who were the detainee's and prisoners held in the Campbell County Jail between March 17, 2004 (include name, birth date, license number, address and phone number of each).
- Specify if each individual was a Trustee at the time.
 - Specify if each individual was in the same holding area as the Plaintiff.

ANSWER: The information requested is not available in the Office of the County Mayor.

12. What were the actions taken against the Plaintiff during his illegal incarceration at the Campbell County Jail? (Include copies of the mandatory incident reports):
- Include movements between cells, times & dates and reasons for.
 - Billy Marlow's and two other correction officers' assault upon the Plaintiff (include name, birth date, home address, position and phone number).

ANSWER: The information requested is not available in the Office of the County Mayor.

13. Is there any knowledge of any person or entity that has acted to cause or make attempts to malign, coerce, locate, investigate, assault, slander, prosecute, hinder; or conspire to falsely arrest, assault and maliciously prosecute the Plaintiff? Do state the name, address, occupation, birth date, residence and telephone number of the individuals or entities thus acted and a summary of such actions. (this includes

such actions as the refusal to subpoena out of county eye-witnesses for the county public defender)

ANSWER: This office has no knowledge of any such activities or events.

14. Please state the full name, birth date, address and telephone number of every person or entity known to you or to your attorney who has any knowledge of the facts and circumstances surrounding the happening of the incidents referred to in the Plaintiff's Amended Complaint and 2nd Amended Complaint and subsequent filed Motions, including, but not limited to, eye witnesses of such events and any other persons having knowledge thereof.

ANSWER: This office has no knowledge of any such activities or events.

15. Do you or your attorney or anyone action on your or their behalf have or know of any photographs, motion pictures, video recordings, maps, drawings, diagrams, measurements, surveys, data compilations, affidavits, notes, documents or tangible things alleged to in Plaintiff's 2nd Amended Complaint of Violations of Constitutional Rights and subsequent documents or may be used to support the disclosing parties claims or defenses and if so, as to each such item state:
- i. Its nature;
 - ii. Its specific subject matter;
 - iii. The date it was made or taken;
 - iv. The name and address of the person making it;
 - v. The name and address of the person taking it;
 - vi. What each such item purports to show, illustrate or represents; and
 - vii. The name and address of the person having custody of such items

ANSWER: This office has no knowledge of any such activities or events.

16. Have you ever been the Defendant in any other civil action or Defendant in any criminal action? If affirmative state:
- i. The style or caption of the case;
 - ii. The name and address of the court where the case is pending, including court docket number;
 - iii. The nature of the claim;
 - iv. The resolution of the case;
 - v. The date the case was filed and the date the case was terminated.

ANSWER: The information requested is of public record and available to the Plaintiff for inspection at the Circuit/Criminal Court Clerk's office.

17. Are you, or any entity you know, have any knowledge of any activities that may occur whereby court records may be falsified to present false convictions and false

court proceedings and false entries of monies entered into as fees or fines in the Campbell County Sessions Court or to the Campbell County Sheriff's Office? If in the affirmative, include full name, address, business address, telephone, and elaboration of such activities.

ANSWER: This office has no knowledge of any such activities or events.

18. In the several years that the Campbell County jail has failed the T.C.I. inspections, what efforts were made to improve the facility?

- a. Were any improvements or changes made to meet these standards without asking for grand or funds from outside sources? (if so list the changes and amounts spent)
- b. How many years has the Campbell County Jail been noncompliant to the basic standards of Tennessee, Nationally?
- c. Who was responsibly for the decisions made concerning the making of improvements during the time of non-compliance? Since 1990? (please include name, birth date, address, position and phone number)
- d. How many request or applications have been made for funds or grants to improve the Campbell County Jail?

ANSWER: a. See "Exhibit 2", entitled *Campbell County Tennessee Correctional Facility Expenditures for Facility Enhancement & Upgrade of Inmate Provisions*.

- b. This information is not available in the County Mayor's Office.
- c. This office has no such information directly available to it.
- d. This respondent only has knowledge of one (1) grant request for inmate clothing and laundry equipment. Information on the existence of other grant applications is not available to this office.

19. Are Campbell County Facilities and Residents kept purposely distressed in order for Campbell County to obtain grants and funds from outside sources?

ANSWER: Not to my knowledge.

20. Does Campbell County purposely maintain the detainee/prisoner capacity at nearly 200-250% percent of capacity for the additional supplement of monies to the County in terms of fees, fines, daily compensation, bonds and other collections?

- a. Or cause arrests specifically to qualify for certain privileges, status or monies caused by quotas set?

ANSWER: Not to my knowledge.

21. Who are the people applying or responsible for other people applying for Grants and outside funds by Campbell County? (include name, birth date, address, position and phone number)

- a. Has the Plaintiff ever been indicated as a possible source of revenue of funds or other resources to Campbell County, County Personnel or policy makers? (by and to whom, include name, birth date, position, address and

phone numbers of each person or entity, and specify reason for belief that Plaintiff could be any source of such a revenue)

ANSWER: Elected officials for all government departments historically would have oversight on such activities. This information is of public record and available to the Plaintiff in the offices of the court clerks and/or minute books containing budget information and formal Board of Education and Board of Commissioners actions.

DEFINITIONS

Definition: The word "Documents" will include writing, drawing, graphs, memos, records, data compilations, letters, agreements, photographs, phone records, video and/or audio recordings, applications, attachments, books, manuals instructions, or any tangible thing from which data may be obtained, translated or by detection devises may be rendered into usable form, which may constitute or contain subject matter of requested material.

REQUEST FOR DOCUMENTS

Request #1. Any and all documents pertaining to interrogatives 1 through 21.

RESPONSE: See "Exhibit 1" and "Exhibit 2".

Request #2. Any and all documents pertaining to the Plaintiff, including recordings at the Campbell County Call Center.

Response: No such entity exists. Plaintiff may have access to the County's 911 service records if he wishes.

VERIFICATION

STATE OF TENNESSEE, COUNTY OF CAMPBELL

I, Jerry Cross (and the County of Campbell as a body politic), after being duly sworn, make an oath that the forgoing answers to the Plaintiff Rustin G. Jackson Set of Interrogatives are true and fully answered to the best of my knowledge and ability.

Mayor Jerry Cross

Sworn to and Subscribed before me

This the _____ day of _____, 2006

Notary Public

My commission expires: _____

CERTIFICATE OF SERVICE

I do hereby certify that that a true and correct copy of the foregoing has been served upon all counsel of record, and the plaintiff, by placing the same in the United States mail, postage pre-paid, to their addresses as listed in the Court file.

This ____ day of February 2006.

Peter D. Van de Vate